

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JAMES PHILLIPS,

Plaintiff,

v.

Civil Action No. **3:23CV08**

E. J. PERKINS, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on January 12, 2023, the Court conditionally docketed Plaintiff's action. At that time, the Court warned Plaintiff that he must keep the Court informed of his current address. By Memorandum Order entered on February 6, 2023, the Court granted Plaintiff's request to proceed *in forma pauperis* and filed the action. However, on February 16, 2023, the United States Postal Service returned the February 6, 2023 Memorandum Order to the Court marked, "NOT HERE" and "RETURN TO SENDER." (ECF No. 9, at 1.) Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Final Order shall accompany this Memorandum Opinion.

Date: March 7, 2023
Richmond, Virginia

/s/ 
Roderick C. Young
United States District Judge